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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 08/402,394      | 03/10/1995  | MICHAEL DORSCHUG     | 02481.0790-0        | 2561             |

22852 7590 01/12/2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
1300 I STREET, NW  
WASHINGTON, DC 20005

EXAMINER

SAOUD, CHRISTINE J

| ART UNIT | PAPER NUMBER |
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1647

DATE MAILED: 01/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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010904

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The reply filed on June 5, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the claims do not comply with 37 CFR 1.121, and therefore, the claims cannot be entered. 37 CFR 1.121 requires a listing of all claims that are, or were, in the application as follows:

- all claims listed in ascending numerical order
- the text of all claims under examination; no text for canceled or withdrawn claims
- a status identifier for each claim in parentheses after claim number, (for example, "original" or "currently amended"
- all "currently amended" claims should have markings (strikethrough and underlining suggested)
- grouping of consecutive canceled or withdrawn claims permitted.

Applicant does not need to submit new arguments. The arguments appear to be persuasive, but the claims cannot be allowed in the current form because the amendment which has been filed does not conform to 37 CFR 1.121. A proper amendment to the claims, following the guidance above, should place the application in condition for allowance. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christine J. Saoud, Ph.D., whose telephone number is (703) 305-7519. The Examiner can normally be reached on Monday to Thursday from 8AM to 2PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Gary Kunz, can be reached on (703) 308-4623.

Official papers filed by fax should be directed to (703) 872-9306. If this number is out of service, please call the Group receptionist for an alternate number. Official papers filed After Final rejection filed by fax should be directed to (703) 872-9307. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

**CHRISTINE J. SAOUD  
PRIMARY EXAMINER**

*Christine J. Saoud*